



01-01-02

9P 1648

4

DOCKET NO.: NH-0118/E-115-00/0

PATENT

DATE CANCELLED

DATE CANCELLED



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application of:
Alexander C. Schmidt et al.

Serial No.: 09/586,479

Group Art Unit: 1648

Filing Date: June 1, 2000

Examiner: S. Brown

For: **ATTENUATED HUMAN-BOVINE CHIMERIC PARAINFLUENZA VIRUS
(PIV) VACCINES**

EXPRESS MAIL LABEL NO: EL695382445US
DATE OF DEPOSIT: January 3, 2002

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I HEREBY CERTIFY THAT THIS PAPER IS BEING DEPOSITED
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INDICATED ABOVE AND IS ADDRESSED TO **BOX FEE**,
COMMISSIONER FOR PATENTS, WASHINGTON, D.C. 20231.

TYPED NAME: Jeffrey J. King
REGISTRATION NO.: 38,515

Box ☒ **FEE**

☐ AF

Assistant Commissioner for Patents
Washington DC 20231

Sir:

AMENDMENT TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

- ☐ A Preliminary Amendment.
- ☒ An Amendment Responsive to the Office Action Dated July 3, 2001.
- ☐ An Amendment Supplemental to the Paper filed _____.
- ☐ Other: _____.

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- ☐ Applicant(s) has previously claimed small entity status under 37 CFR §1.27.
- ☐ Applicant(s) by its/their undersigned attorney, claims small entity status under 37 CFR §1.27 as:
- ☐ an Independent Inventor
 - ☐ a Small Business Concern
 - ☐ a Nonprofit Organization
- ☐ This application is no longer entitled to small entity status. It is requested that this be noted in the files of the Patent and Trademark Office.
- ☐ Substitute Pages _____ of the Specification are enclosed.
- ☐ An Abstract is enclosed.
- ☐ _____ Sheets of Proposed Corrected Drawings are enclosed.
- ☐ A Certified Copy of each of the following applications:
is enclosed.
- ☐ An Associate Power of Attorney is enclosed.
- ☐ Information Disclosure Statement.
- ☐ Attached Form 1449.
 - ☐ A copy of each reference as listed on the attached Form PTO-1449 is enclosed herewith.
- ☐ Appended Material as follows: _____.
- ☐ Other Material as follows: _____.

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FEE CALCULATION

☐ No Additional Fee is Due.

				SMALL ENTITY		NOT SMALL ENTITY	
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	FEE	RATE	FEE
TOTAL CLAIMS	67	83 (20 MINIMUM)	0	\$9 EACH	\$	\$18 EACH	\$
INDEP. CLAIMS	1	4 (3 MINIMUM)	0	\$40 EACH	\$	\$80 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$135	\$	\$270	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$195	\$	\$390	\$
<input checked="" type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$445	\$	\$890	\$890
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$695	\$	\$1390	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$945	\$	\$1890	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE							\$890

- ☒ Petition is hereby made under 37 C.F.R. 1.136(a) to extend the time for response to the Office Action of **July 3, 2001** to and through **January 3, 2002** comprising an extension of the shortened statutory period of **three (3) month(s)**.
- ☒ The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to deposit account 23-3050. This sheet is provided in duplicate.

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- ☒ The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to deposit account 23-3050. This sheet is provided in duplicate.
- ☒ The Foregoing Amount Due for Filing this Paper.
- ☒ Any additional filing fees required, including fees for the presentation of extra claims under 37 C.F.R. 1.16.
- ☒ Any additional patent application processing fees under 37 C.F.R. 1.17 or 1.20(d).

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the United States Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: **January 3, 2002**


 Jeffrey J. King
 Registration No. 38,515

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Re Application of: Alexander A. Schmidt et al.

Serial No.: 09/586,479

Group Art Unit: 1648

Filing Date: June 1, 2000

Examiner: S. Brown

For: ATTENUATED HUMAN-BOVINE CHIMERIC PARAINFLUENZA VIRUS
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TYPED NAME: Jeffrey J. King
REGISTRATION NO.: 38,515

Assistant Commissioner for Patents
Washington, DC 20231

Sir:

AMENDMENT/RESPONSE

In response to the Office Action mailed July 3, 2001, please amend the
above-identified application as follows:

IN THE SPECIFICATION

--At page 1, in the section entitled "CROSS-REFERENCEES TO
RELATED APPLICATIONS", following lines 6-7, please add the following amended
priority claim in the application. --The present application also claims the priority benefit
of, and is a continuation-in-part of, U.S. Patent Application No. 09/083,793, filed May
22, 1998, which in turn confers priority claimed herein from U.S. Provisional Application
No. 60/047,575, filed May 23, 1997 (now abandoned), and U.S. Provisional Application
No. 60/059,385, filed September 19, 1997 (now abandoned). The disclosure of each of
the foregoing priority applications is incorporated herein by reference.--

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